

**CITY OF WHEAT RIDGE, COLORADO**  
**INTRODUCED BY COUNCIL MEMBER WEAVER**  
**COUNCIL BILL NO. 03**  
**ORDINANCE NO. 1685**  
**Series 2020**

**TITLE: AN ORDINANCE AMENDING SECTION 1-5 OF THE WHEAT RIDGE CODE OF LAWS, CONCERNING PENALTIES FOR MUNICIPAL CODE VIOLATIONS**

**WHEREAS**, the City of Wheat Ridge (the "City") is a home rule municipality having all powers conferred by Article XX of the Colorado Constitution; and

**WHEREAS**, pursuant to its home rule authority and § 31-23-101, C.R.S., the City, acting through its City Council (the "Council"), is authorized to adopt ordinances for the protection of the public health, safety or welfare and therefore has adopted the Wheat Ridge Code of Laws (the "Code"); and

**WHEREAS**, recent changes in state law affect the fines and penalties that may be imposed by municipal courts for violations of municipal law; and

**WHEREAS**, the Council now wishes to amend the Code to revise its general fines and penalties for violations thereof, in order to create consistency with state law.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

**Section 1.** Section 1-5 of the Wheat Ridge Code of Laws is hereby amended, as follows:

**Sec. 1-5. - General penalty.**

~~Unless otherwise specifically provided~~ NOTWITHSTANDING ANY PENALTY PROVISIONS IN THIS CODE TO THE CONTRARY, whenever in this Code or any other ordinance of the city or any section or an order, rule or regulation promulgated under the provisions of this Code or other ordinance of the city any act is prohibited, made or declared to be unlawful, an offense, nuisance or misdemeanor, ~~where no specific penalty is provided therefor,~~ any person who shall be convicted of the violation of any such provision of this Code or other ordinance of the city or of such orders, rules or regulations shall be punished by a fine of not more than TWO THOUSAND SIX HUNDRED FIFTY ~~one thousand-~~ dollars (\$2,650.00~~4,000.00~~), or by imprisonment for a period not exceeding THREE HUNDRED SIXTY-FOUR DAYS ~~one year,~~ or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment for violation of any provision of this Code.

**Section 2.** If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining

sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 3. Effective Date.** This Ordinance shall take effect fifteen (15) days after final publication, as provided by Section 5.11 of the Charter.

**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of 8 to 0 on this 10<sup>th</sup> day of February, 2020, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for February 24, 2020 at 7:00 p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

**READ, ADOPTED AND ORDERED PUBLISHED** on second and final reading by a vote of 8 to 0, this 24<sup>th</sup> day of February, 2020.

SIGNED by the Mayor on this 24<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
Bud Starker, Mayor

ATTEST:

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Steve Kirkpatrick, City Clerk

Approved as to Form:

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Gerald E. Dahl, City Attorney

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